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09/755,978	01/05/2001	Martin Roos	4484 US	4757

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EXAMINER

HO, THOMAS Y

ART UNIT

PAPER NUMBER

3677

DATE MAILED: 10/03/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/755,978

Applicant(s)

ROOS, MARTIN

Examiner

Thomas Y Ho

Art Unit

3677

-- Th MAILING DATE of this communication appears on the cover sheet with the corresponding address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 August 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 12 August 2002 is: a) ☒ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

Art Unit: 3677

DETAILED ACTION

Claim Objections

Claims 1, 4, 5, and 9 are objected to because of the following informalities:

The above claims make reference to various “connecting elements” and refer to each as “the connecting element”. For clarification, applicant is encouraged to label and reference the connecting elements as the --first connecting element--, --second connecting element--, and --third connecting element--.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

Claims 1-9 and 11 are rejected under 35 U.S.C. 102(e) as being anticipated by Jyawook
USPN6276743.

As to claim 1, Jyawook discloses a latching mechanism for a sliding door (col.4, ln.2-3)
having:

- A door lock.

Art Unit: 3677

- A latching device 128 which can be arrested in a positive-locking manner and is for holding the sliding door in its open position (col.6, ln.16-20).
- An inside door operating means having an inside door handle 152.
- An outside door operating means having an outside door handle 148.
- Connecting elements 150, 154, and 736.
- The door lock and the latching device 128 being able to be operated mechanically by the door handles 148 and 152 via said connecting elements 150, 154, and 736 (col.16, ln.34-67).
- Logical functions for locking/unlocking the sliding door being realized in the door lock.
- Driver elements 724 and 734.
- The connecting elements 150, 154, and 736 between the two door handles 148 and 152 and the door lock have said driver elements 724 and 734 which act via a driven element 640 on the connecting element 736 connected to the latching device 128 (col.16, ln.34-67). Both the inside door handle 152 and outside door handle 148 act on inside opening lever 640 when coupled together by a child guard mechanism 138 (col.13, ln.66-67; col.14, ln.1-6; col.17, ln.24-29, ln.40-46).

As to claim 2, Jyawook discloses a latching mechanism wherein:

- At least for said two door handles 148 and 152, separate ones of said connecting elements 150 and 154 and said driver elements 724 and 734 are provided (col.13, ln.40-65). For example, driver element 724 fits in sidewalls 662 of cable retention

Art Unit: 3677

means 660 located on unlatch lever 642 that can be coupled to inside opening lever 640.

- The latter interacting with said driven element 640.

As to claim 3, Jyawook discloses a latching mechanism wherein:

- The driver elements 724 and 734 lie directly next to one another.
- Said connecting elements 150 and 154 from the door handles 148 and 152 run parallel to one another at least in this region (fig.17A).

As to claim 4, Jyawook discloses a latching mechanism wherein:

- The driver elements 724 and 734 act on a reversing lever 640 on which the connecting element 736 to the latching device 128 is secured.

As to claim 5, Jyawook discloses a latching mechanism wherein:

- The driver elements 724 and 734 are uncoupled from the connecting element 736 to the latching device 128 such that driving only takes place in a direction of movement of the driver elements 724 and 734 relative to the connecting element 736 (col.16, ln.57-67; col.17, ln.24-29, ln.41-46).

As to claim 6, Jyawook discloses a latching mechanism wherein:

- Uncoupled driving takes place by simple bearing of said driver elements 724 and 734 against a driving surface 660 on said reversing lever 640 (col.13, ln.39-51; col.14, ln.48-55; col.15, ln.14-29) (fig.17B, 17C).

As to claim 7, Jyawook discloses a latching mechanism wherein:

- The connecting elements 150, 154, and 736 are at least partially formed as Bowden cables.

Art Unit: 3677

As to claim 8, Jyawook discloses a latching mechanism wherein:

- Said Bowden cables 150 and 154 of the connecting elements from the door handles 148 and 152 are continuous in a region of the driver elements 724 and 734 (fig.17A).
- Bowden cable sheaths being omitted in said region (fig.17A).

As to claim 9, Jyawook discloses a latching mechanism having:

- A door lock.
- A latching device 128 which can be arrested in a positive-locking manner and is for holding the sliding door in its open position (col.6, ln.16-20).
- An inside door operating means having an inside door handle 152.
- An outside door operating means having an outside door handle 148.
- Connecting elements 150, 154, and 736.
- The door lock and the latching device 128 being able to be operated mechanically by the door handles 148 and 152 via said connecting elements 150, 154, and 736 (col.16, ln.34-67).
- Logical functions for locking/unlocking the sliding door being realized in the door lock.
- Driver elements 724 and 734.
- The connecting elements 150, 154, and 736 between the two door handles 148 and 152 and the door lock have said driver elements 724 and 734 which act via a driven element 640 on the connecting element 736 connected to the latching device 128 (col.16, ln.34-67). Both the inside door handle 152 and outside door handle 148 act

Art Unit: 3677

on inside opening lever 640 when coupled together by a child guard mechanism 138 (col.13, ln.66-67; col.14, ln.1-6; col.17, ln.24-29, ln.40-46).

- The connecting elements 150, 154, and 736 are at least partially formed as Bowden cables.
- Said Bowden cables 150 and 154 of the connecting elements from the door handles 148 and 152 are continuous in a region of the driver elements 724 and 734 (fig.17A).
- Bowden cable sheaths being omitted in said region (fig.17A).
- Bowden cable sheaths end molded onto walls of a housing body on which the reversing lever 640 is pivotally mounted (fig.17A).

As to claim 11, Jyawook discloses a latching mechanism for a sliding door (col.4, ln.2-3) comprising:

- A door lock for securing the door in its closed position .
- A latching device 128 which can be arrested in a positive-locking manner to hold the sliding door in its open position (col.6, ln.16-20).
- An inside door operating means having an inside door handle 154.
- An outside door operating means having an outside door handle 148.
- Connecting elements 150, 154, and 736.
- A driven element 640 having opposed first and second ends (fig.17A).
- Wherein the door lock and the latching device 128 are operated mechanically by the inside 152 and the outside 148 door handles via respectively a first 154 and a second 150 of said connecting elements.
- Logical functions for locking/unlocking the sliding door are realized in the door lock.

Art Unit: 3677

- The first 154 and the second 150 connecting elements connect to the first end of the driven element 640 and act via a pivoting of the driven element 640 to drive the latching device 128 (col.16, ln.56-67; col.17, ln.40-46) (fig.17A).
- The latching device 128 being coupled via a third 736 one of said connecting elements to the second end of said driven element 640 (fig.17A).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jyawook

USPN6276743 in view of Weyerstall USPN6050117.

As to claim 10, Jyawook fails to disclose or suggest:

- Said housing body is of substantially mirror-symmetrical formation.

Weyerstall discloses a door lock with a housing made symmetrical to its center plane (col.6, ln.62-67) so the lock can be used for left/right entry and to decrease the cost of production associated with making both left and right housings (col.2, ln.42-49). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the housing body disclosed by Jyawook to be symmetrical, as taught by Weyerstall, to make the lock usable in left and right entry and to decrease costs.

Art Unit: 3677

Response to Arguments

Applicant's arguments with respect to claims 1-11 have been considered but are moot in view of the new ground(s) of rejection.

The rejections of claims 1-10 under 35 USC 112 second paragraph are withdrawn in light of the amendment filed 8/12/02.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

USPN4524632 to Ballard discloses a selecting mechanism.

USPN5829314 to Scura discloses a device for reducing cable flop.

USPN6126211 to Dominiquez discloses a slidable deadbolt security device.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas Y. Ho whose email address is thomas.ho@uspto.gov and telephone number is (703) 305-4556. The examiner can normally be reached on M-F 9:30AM-6:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J.J. Swann can be reached on (703) 306-4115. The fax phone number for the organization where this application or proceeding is assigned is (703) 746-3366.

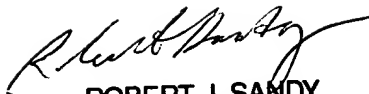
Application/Control Number: 09/755,978

Page 9

Art Unit: 3677

TYH

September 26, 2002


ROBERT J. SANDY
PRIMARY EXAMINER